

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

UNITED STATES OF AMERICA

CASE NO. 6:16-CR-00048-03

VERSUS

JUDGE WALTER

MARK FREDERICK (03)

MAGISTRATE JUDGE HANNA

ORDER

At the conclusion of the competency hearing held on Friday, February 23, 2018 [Doc. #244], the Court affirmed its earlier finding, based on the evaluation reports from Drs. Sasha Lambert and Robert Johnson [Docs. ## 147, 196, 241, 242], that Defendant Mark Frederick (03) is competent to stand trial. That is, pursuant to 18 U.S.C. § 4241(a), this Court does not find “reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.”


Although the Court finds that Defendant Frederick is competent to stand trial, the record reflects that it may be or become necessary for the Court to provide reasonable trial accommodations in order to ensure that the defendant receives a fair trial. *See United States v. Swanson*, 572 F.2d 523, 526 (5th Cir. 1978) (Competency is an important component of due process in a criminal trial and also implicates “an accused’s Fifth and Sixth Amendment rights to a fair trial and effective assistance of counsel.”). Thus, in an effort to ensure a fair trial without any undue burdens on Defendant Frederick or his counsel, the Court hereby **APPOINTS** Dr. Sasha Lambert to attend trial for the purpose of assisting the Court, to the best of her abilities as

discussed during the competency hearing, in monitoring Defendant Frederick's competency throughout the proceedings.

Dr. Lambert's ability to assist the Court in monitoring the defendant necessarily depends upon her ability to both see and hear Defendant Frederick's verbal and behavioral interactions with defense counsel. Accordingly, the Court hereby **ORDERS** that any and all such communications, to which Dr. Lambert may be privy, and which would otherwise be confidential between Defendant Frederick and his attorney, are hereby protected by the attorney-client privilege.

IT IS FURTHER ORDERED that Dr. Lambert shall hereby be compensated by the Government, at her regular hourly rate, for her attendance and assistance during trial proceedings.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 27th day of February, 2018.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE